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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP: \_\_\_\_\_

Patent  
Case No.: 58077US003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: ROEHRIG, MARK A.

Application No.: 10/823328

Confirmation No.: 4482

Filed: April 13, 2004

Title: TRANSDERMAL DRUG DELIVERY DEVICE WITH TRANSLUCENT  
INORGANIC BARRIER LAYER

**AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116**

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]**

I hereby certify that this correspondence is being:

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- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.
- ☒ transmitted to United States Patent and Trademark Office on the date shown below via the Office electronic filing system.

January 21, 2009

/Chris Johnson/

Date

Signed by: Chris Johnson

Dear Sir:

This is in response to the outstanding Office Action, dated November 21, 2008, in the above-identified application.

**Fees**

- ☒ Any required fee will be made at the time of submission via EFS-Web. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge any fees under 37 CFR § 1.17 which may be required to Deposit Account No. 13-3723.
- ☐ Please charge any fees under 37 CFR §§ 1.16 and 1.17 which may be required to Deposit Account No. 13-3723.
- ☒ Please charge any additional fees associated with the prosecution of this application to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested.
- ☒ Please credit any overpayment to the same deposit account.